

**BEFORE THE
FEDERAL ELECTION COMMISSION**

SAMUEL M. SLOM)
Voter)
First Congressional District)
6594 Hawaii Kai Drive)
Honolulu, HI 96825,)

Complainant,)

v.)

NEIL ABERCROMBIE)
3021 Cleveland Avenue NW)
Washington, DC 20008,)

and)

ABERCROMBIE FOR CONGRESS)
1517 Kapiolani Boulevard)
Honolulu, HI 96814,)

Respondents.)

MUR No. 5582

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2004 OCT 25 P 12:44

COMPLAINT

Complainant files this Complaint against NEIL ABERCROMBIE and ABERCROMBIE FOR CONGRESS (collectively "ABERCROMBIE"), for violations of the Federal Election Campaign Act and the Federal Election Campaign Regulations, as more particularly described below.

Based upon the Federal Campaign Spending Reports (FEC Form 3) filed by ABERCROMBIE during 2004, it is clear that ABERCROMBIE accepted donations from individuals and

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companies who have either been previously convicted of campaign law violations in the State of Hawaii and/or have been fined and sanctioned by the Hawaii Campaign Spending Commission for violations of various provisions of Hawaii's campaign spending laws, including, but not limited to, making "false name" contributions and/or making contributions in excess of the amount allowable by law. The FEC filings also strongly suggest that ABERCROMBIE accepted "false name" contributions from the same individuals who have been found guilty of violations of the Hawaii Campaign Spending Laws.

STATEMENT OF FACTS

1. MICHAEL MATSUMOTO and SSFM ENGINEERS, INC.

On or about June 18, 2004, ABERCROMBIE accepted a political contribution from MICHAEL MATSUMOTO, the President of SSFM ENGINEERS, INC. (A portion of the FEC Form 3 filed by ABERCROMBIE evidencing the Matsumoto contribution is attached hereto as Exhibit "A"). Approximately nine (9) months prior to the campaign contribution to ABERCROMBIE, Mr. Matsumoto had a hearing with the Hawaii Campaign Spending Commission regarding his history of making false name political contributions and contributions in excess of the legal limit. Based upon the findings of the Hawaii Campaign Spending Commission (the "State Commission"), they

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found that Mr. Matsumoto made illegal campaign contributions during the period between 1996 and 2001. As a result of these illegal campaign contributions, Mr. Matsumoto was fined \$303,000.00 by the State Commission. The State Commission found that Mr. Matsumoto made false name contributions totaling \$428,800.00 to various candidates. Mr. Matsumoto further pleaded guilty to a money laundering charge, which is a felony in the State Court. A copy of the State Commission minutes is attached hereto as Exhibit "B". In January 2004, Mr. Matsumoto again met with the State Commission to request additional time to pay his \$300,000 fine on the basis that it was a financial hardship. A copy of the State Commission minutes of January 14, 2004 is attached hereto as Exhibit "C". In spite of this financial hardship, Mr. Matsumoto nevertheless found at least \$2,000.00 to donate to ABERCROMBIE and not to the State of Hawaii.

Based upon the FEC Form 3 filings made by ABERCROMBIE, Mr. Matsumoto may have made additional campaign contributions in the names of other individuals as he has done on numerous occasions in the past. The facts strongly suggest that ABERCROMBIE solicited political contributions from Mr. Matsumoto and SSFM Engineers, Inc., notwithstanding his previous guilty plea for a felony, and

notwithstanding his previous fine by the State Commission. If true, these contributions would be in violation of the Federal Election Campaign Laws and would subject ABERCROMBIE to the severest sanctions of the Federal Election Campaign Act.

2. GROUP 70 INTERNATIONAL

On or about July 15, 2004, ABERCROMBIE accepted a political contribution from Mr. Ralph Portmore, the Executive Vice-President of GROUP 70 INTERNATIONAL. (A portion of the FEC Form 3 filed by ABERCROMBIE evidencing the Portmore contribution is attached hereto as Exhibit "D"). Approximately fifteen (15) months prior to the campaign contribution to ABERCROMBIE, Group 70 International had a hearing with the Hawaii Campaign Spending Commission regarding his history of making false name political contributions and contributions in excess of the legal limit. The State Commission charged that Group 70 International made illegal campaign contributions during the period between 1996 and 2001. Rather than be subjected to a lengthy violation, Group 70 International admitted to making four contributions in excess of the legal limit. A copy of the State Commission minutes of May 8, 2003, is attached hereto as Exhibit "E".

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Based upon the FEC Form 3 filings made by ABERCROMBIE, Group 70 International may have made additional campaign contributions in the names of other individuals as he has done on numerous occasions in the past. The facts strongly suggest that ABERCROMBIE solicited political contributions from Group 70 International, notwithstanding the previous admission of campaign spending law violations and notwithstanding his previous fine by the State Commission. If true, these contributions would be in violation of the Federal Election Campaign Laws and would subject ABERCROMBIE to the severest sanctions of the Federal Election Campaign Act.

3. CONTROLPOINT SURVEYING, INC.

On or about July 14, 2004, ABERCROMBIE accepted a \$2,000.00 political contribution from Mr. Yue-Hong Yeh, the President of CONTROLPOINT SURVEYING, INC. (A portion of the FEC Form 3 filed by ABERCROMBIE evidencing the Yeh contribution is attached hereto as Exhibit "F"). Approximately eighteen (18) months prior to the campaign contribution to ABERCROMBIE, ControlPoint had a hearing with the Hawaii Campaign Spending Commission regarding his history of making false name political contributions and contributions in excess of the legal limit. The State Commission charged that ControlPoint made excessive and

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illegal campaign contributions to various political candidates. A Conciliation Agreement between ControlPoint and the State Commission was accepted on January 16, 2003. A copy of the State Commission minutes of January 16, 2003, is attached hereto as Exhibit "G". Based upon The Honolulu Star-Bulletin news article of July 24, 2003, ControlPoint agreed to pay a fine of \$48,000.00 for making more than \$60,000.00 in illegal campaign contributions. A copy of the Star-Bulletin article is attached as Exhibit "H".

Based upon the FEC Form 3 filings made by ABERCROMBIE, ControlPoint may have made additional campaign contributions in the names of other individuals as they have done on numerous occasions in the past. The facts strongly suggest that ABERCROMBIE solicited political contributions from ControlPoint notwithstanding the previous admission of campaign spending law violations and notwithstanding his previous fine by the State Commission. If true, these contributions would be in violation of the Federal Election Campaign Laws and would subject ABERCROMBIE to the severest sanctions of the Federal Election Campaign Act.

4. WILSON, OKAMOTO & ASSOCIATES.

On or about June 30, 2004, ABERCROMBIE accepted a political contribution from Mr. Gary Okamoto, the President

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of WILSON, OKAMOTO & ASSOCIATES. (A portion of the FEC Form 3 filed by ABERCROMBIE evidencing the Okamoto contribution is attached hereto as Exhibit "I").

Approximately fourteen (14) months prior to the campaign contribution to ABERCROMBIE, WILSON, OKAMOTO & ASSOCIATES had a hearing with the Hawaii Campaign Spending Commission regarding his history of making false name political contributions, and contributions in excess of the legal limit. The State Commission alleged that Wilson, Okamoto & Associates made illegal campaign contributions. A copy of the State Commission minutes of April 17, 2003, is attached hereto as Exhibit "J". Based upon The Honolulu Star-Bulletin news article of May 1, 2004, Mr. Gary Okamoto was fined \$44,500 for funneling illegal political donations. The State Commission charged that Mr. Gary Okamoto and his wife gave more than \$29,000 in illegal political campaign contributions and an additional \$22,800 in false name contributions. Moreover, the Okamotos "laundered" more than \$10,000 to a former Honolulu City Councilman. A copy of the Star-Bulletin news article of May 1, 2004 is attached hereto as Exhibit "K".

Based upon the FEC Form 3 filings made by ABERCROMBIE, Wilson, Okamoto & Associates may have made additional campaign contributions in the names of other individuals,

as they have done on numerous occasions in the past. The facts strongly suggest that ABERCROMBIE solicited political contributions from Wilson, Okamoto & Associates notwithstanding the previous admission of campaign spending law violations and notwithstanding his previous fine by the State Commission. If true, these contributions would be in violation of the Federal Election Campaign Laws and would subject ABERCROMBIE to the severest sanctions of the Federal Election Campaign Act.

LEGAL ARGUMENT

Based upon the FEC Form 3 filings made by ABERCROMBIE, there are numerous contributions from architectural firms, engineering firms, contractors and others who have either been convicted of making illegal campaign contributions and/or have been fined or sanctioned by the State Commission prior to making contributions to ABERCROMBIE. The facts also suggest that these contributors have or had contracts with the United States for work within their area of expertise. The facts further suggest that ABERCROMBIE solicited these contributions knowing that these companies and/or individuals have made illegal campaign contributions in the past and would also agree to make illegal campaign contributions to his campaign. Although a full and complete investigation is not yet completed, the facts

further suggest that the pattern of contributions made are similar to those made in the past, and as such, illegal. If so, then certainly ABERCROMBIE is guilty of numerous violations of the Federal Election Campaign Act.

There are numerous other contributors who may be involved in such illegal activity. The State Commission and the State Courts have not finalized all their investigations into these illegal campaign activities. A review of the ABERCROMBIE FEC Form 3 filings list various architects, engineers and contractors who may also be included in this list.

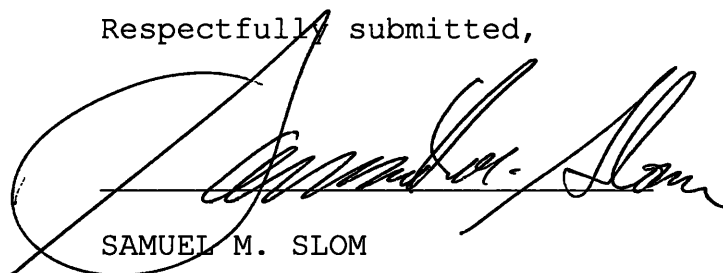
REQUESTED ACTION

There is no doubt that ABERCROMBIE solicited, obtained and used political contributions from those companies and individuals who have recently been either convicted of, or fined substantial sums of money for, violations of the Hawaii State Campaign Spending Laws. The pattern of solicitation (from the same companies who committed these wrongful acts), strongly suggests that the pattern of contributions have continued to the ABERCROMBIE campaign. If the facts demonstrate that these wrongful acts include those of a contribution made in a false name, or if the contribution exceeds the maximum amount allowed by law,

then the Commission should impose the strictest penalties allowable by law.

The investigation should also evaluate what contracts, agreements, or other business these companies or individuals have with the United States government, as there is also an indication that this work is illegally tied to campaign contributions.

Respectfully submitted,


SAMUEL M. SLOM

Subscribed and sworn before
Me on this 22 day of
October, 2004


MARIE UEHARA
Notary Public

My Commission Expires:

6/25/08

LS

EXHIBIT A

26044134284

SCHEDULE A (FEC FORM 3) ITEMIZED RECEIPTS

Use separate schedule(s) or each category of the Detailed Summary Page	FORM LINE NUMBER. TOTAL 22/118									
	(check only one)									
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	<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14						
					<input type="checkbox"/> 15					

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NAME OF COMMITTEE (in Full) Abacrombie for Congress

A. Full Name (Last, First, Middle Initial)
Michael Matsumoto

Mailing Address 333 Kupu Place

City Honolulu State HI Zip Code 96817-1444

FEC ID Number of contributing
federal political committee.

C

Name of Employer
SSFM Engineers, Inc.

Receipt For: 2004

X Primary General

Other (specify) ▼

Occupation
Engineer

Election Cycle-to-Data ▼

2000.00

Date of Receipt

06 18 2004

Transaction ID: 0822200450C10451

Amount of Each Receipt this Period

2000.00

Receipt

Limit Increased Due to Opponent's
Spending (2 U.S.C. 441a)(4)(1a-1)

B. Full Name (Last, First, Middle Initial)

T. Michael Mfg

Date of Receipt

EXHIBIT B

26044134286



**Campaign Spending Commission Meeting
Leiopapa A Kamehameha Building, Room 204
October 9, 2003
3:00 p.m.**

Members Present:

A. Duane Black, Mona Chock, Richard Choy

Staff Present:

Robert Watada, Tony Baldomero, Ellen Kojima

Call to Order:

Meeting convened at 3:00 p.m. with Chairman Black presiding.

Consideration of Minutes:

Ms. Chock moved to accept the minutes of September 11, 2003, Mr. Choy seconded. Motion carried.

New Business:

Conciliation Agreement 03-25 Michael P. Matsumoto

Mr. Michael Matsumoto, President of SSFM International, Inc., has agreed to and taken responsibility for payment of a fine of \$303,000 for illegal contributions given during the period of 1996 - 2001. Investigation found that false name contributions totaling \$428,800 were given to Harris, Cayetano, Apana, Fasi, Morgado, Hirono and several other candidate campaigns, which Mr. Matsumoto has admitted too.

False name contributions given to Harris, Cayetano and Apana campaigns were assessed a fine of \$2,000 for each occurrence. Because of the many subpoenas issued and other investigative costs, the fine was more than the normal \$1,000 for false name contributions. Mr. Matsumoto pleaded no contest to a felony money laundering charge. For other false name contributions a fine of \$1,000 was assessed for each contribution. Contributions in excess of the contribution limits were assessed a \$500 fine.

Ms. Chock moved to accept Conciliation Agreement 03-25, Mr. Choy seconded. Motion carried.

Conciliation Agreement 03-30 Edward Y.C. Chun

Mr. Edward Chun an attorney representing Food Pantry admitted to advising employees of Food Pantry to make campaign contributions and then have Food Pantry reimburse the employees. Mr. Chun has taken responsibility for the advice given and has agreed to a fine of \$3,500.

Ms. Chock moved to accept Conciliation Agreement 03-30, Mr. Choy seconded. Motion carried.

Conciliation Agreement 03-31 Gary T. and Lori T. Okamoto

Mr. Gary Okamoto, President of Wilson Okamoto and Associates, has agreed to a fine of \$44,500 for making false name contributions totaling \$80,000 to the Morgado, Cayetano, Harris, Apana and Hirono campaigns.

Ms. Chock moved to accept Conciliation Agreement 03-31, Mr. Choy seconded. Motion carried.

Draft Advisory Opinion 03-04 Discount Ticket Sales to Candidate Committees

Question was asked as to whether the sale of a block of theatre tickets to a candidate, who in turn will sell them to supporters would require the vendor to file any reports. Draft advisory opinion clarifies that as a vendor Kamu Kahua Theatre is not required to report the sale of tickets to a candidate

Communication to Commission

Legislation

Primary issues for the upcoming session will be:

- A direct bar on unions and corporate contributions unless from a separate segregated fund;
- Bar government contractors from making contributions during a window period; and
- Requiring electronic filing for all candidates.

Next Meeting

Scheduled for Monday, November 10, 2003 at 3:00 p.m.

No further business to discuss, Chairman Black adjourned meeting.

Meeting adjourned at 3:20 p.m.

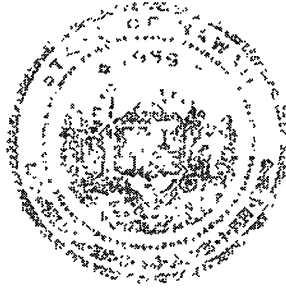
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State of Hawaii, Campaign Spending Commission

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EXHIBIT C

26044134289



**Campaign Spending Commission Meeting
Leiopapa A Kamehameha Building, Room 204
January 14, 2004
10:00 a.m.**

Members Present:

A. Duane Black, Mona Chock, Steven Olbrich, Gino Gabrio, Paul Kuramoto

Staff Present:

Robert Watada, Ellen Kojima
Russell Suzuki, Deputy Attorney General

Call to Order:

Meeting convened at 10:00 a.m. with Chairman Black presiding.

Communication to Commission:

Hawaii Right to Life vs. CSC

Hawaii Right to Life filed a suit claiming the Hawaii law on "electioneering communication" was unconstitutional. Plaintiff argued that their fundraising letter which included a voter guide setting forth candidate positions on certain issues and a radio ad promoting the voter guide was issue advocacy and did not need to be disclosed. Deputy AG Gary Kam, on behalf of the commission argued that any communication direct or indirect that meets the Furgatch test for express advocacy would need to be reported.

On 12/9/03, Judge Kevin Chang denied the Plaintiff's motion to declare the Hawaii law on "electioneering communication" unconstitutional. Plaintiff indicated they will appeal to the 9th Circuit.

Chairman called to convene executive session to consult with counsel on agenda matter 4.

Public session reconvened-

Matsumoto Request

Mr. Watada informed commissioners that Mr. Matsumoto (SSFM) has requested that he be allowed an additional 3 years for a total of 6 years to pay the administrative fine that he was assessed. He is saying that the current monthly payment is a hardship and that the additional 3 years will make the payments easier on him financially.

Commissioners asked that Mr. Watada request to review Mr. Matsumoto's financial statement. Also, that after his review if he feels that Mr. Matsumoto is able to, that Mr. Watada propose that Mr. Matsumoto make a substantial payment before the payment period is extended.

Mr. Gabrio moved that the commission gives Mr. Watada the latitude and authority to enter into an extension agreement with Mr. Matsumoto after review of financial statement, and if he believes that Mr. Matsumoto can make an up front payment he has the authority to extend the payment period up to 6 years. Mr. Kuramoto seconded. Motion carried.

Next Meeting:

Scheduled for Wednesday, February 11, 2004 at 10:00 a.m.

No further business to discuss Chairman Black adjourned meeting.
Meeting adjourned at 10:55 a.m.

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State of Hawaii, Campaign Spending Commission

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EXHIBIT D

26044134292

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

Use separate schedule(s)
or each category of the
Detailed Summary Page

FOR LINE NUMBER: PAGE 17 / 88

(check only one)

<input checked="" type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 11d
<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14
<input type="checkbox"/> 15			

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NAME OF COMMITTEE (In Full)

Abercrombie for Congress

A. Full Name (Last, First, Middle Initial) Ruth Ono Mailing Address 451D Aukai Street City Honolulu State HI Zip Code 96816- FEC ID number of contributing federal political committee. C Name of Employer Queens Health Systems Occupation Vice-President Receipt For: 2004 Election Cycle-to-Date ▼ X Primary General 450.00 Other (specify) ▼		Date of Receipt 07 / 14 / 2004 Transaction ID: 0830200459C1079 Amount of Each Receipt this Period 400.00 Receipt Limit Increased Due to Opponent's Spending (2 U.S.C. 441a(j)(4)(1a-1))
B. Full Name (Last, First, Middle Initial) Walter Ozawa Mailing Address 5307-L Kalanienekole Hwy City Honolulu State HI Zip Code 96821-1967 FEC ID number of contributing federal political committee. C Name of Employer Judiciary Occupation Administration Receipt For: 2004 Election Cycle-to-Date ▼ X Primary General 250.00 Other (specify) ▼		Date of Receipt 07 / 15 / 2004 Transaction ID: 0830200459C1124 Amount of Each Receipt this Period 250.00 Receipt Limit Increased Due to Opponent's Spending (2 U.S.C. 441a(j)(4)(1a-1))
C. Full Name (Last, First, Middle Initial) Ralph Perlmutter Mailing Address 98-521 Kipaepae St City Aiea State HI Zip Code 96701-2180 FEC ID number of contributing federal political committee. C Name of Employer Group 70 International, Inc. Occupation Architect Receipt For: 2004 Election Cycle-to-Date ▼ X Primary General 250.00 Other (specify) ▼		Date of Receipt 07 / 15 / 2004 Transaction ID: 0830200459C1094 Amount of Each Receipt this Period 250.00 Receipt Limit Increased Due to Opponent's Spending (2 U.S.C. 441a(j)(4)(1a-1))

SUBTOTAL of Receipts This Page (optional)

900.00

TOTAL This Period (last page this line number only)

EXHIBIT E

26044134294



Campaign Spending Commission Meeting
Leiopapa A Kamehameha Building, Room 204
May 8, 2003
3:00 p.m.

Members Present:

A. Duane Black, Della Au Belatti, Clifford Muraoka, Mona Chock, Richard Choy

Staff Present:

Robert Watada, Tony Baldomero, Jon Itomura, Ellen Kojima
Russell Suzuki, Deputy Attorney General

Call to Order:

Meeting convened at 3:01 p.m. with Chairman Black presiding.

Consideration of Minutes:

Ms. Belatti moved to accept the minutes of April 17, 2003, Mr. Choy seconded. Motion carried.

New Business:

Conciliation Agreement 03-08 Shimabukuro Endo & Yoshizaki and Howard Endo

The investigation found a pattern of excess and false name contributions to Jeremy Harris, Ben Cayetano, Mazie Hirono and Mufi Hannemann. Mr. Howard Endo was cooperative during the investigation and has agreed to a fine of \$32,000.

Mr. Muraoka moved to accept the conciliation agreement with Shimabukuro Endo & Yoshizaki, Ms. Chock seconded. Motion carried.

Conciliation Agreement 03-13 Group 70 International, Inc.

Investigation found that during the period of 1996 to 2001 Group 70 and its officers made contributions totaling \$55,000 to several candidates and \$36,000 to Jeremy Harris. Rather than be subjected to a lengthy investigation Group 70 agreed to acknowledge making four excess contributions, two in the period before 2000 and two after the 2000 election period. They have agreed to a fine of \$2,000.

Ms. Belatti moved to accept the Conciliation Agreement with Group 70 International, Inc. Mr. Muraoka seconded. Motion carried.

Conciliation Agreement 03-18 Hida Okamoto & Associates, Inc. and Harvey Hida

Investigation found that excess contributions in the amount of \$3,650 was made to Jeremy Harris. They have acknowledged the excess contributions made by the company and its officers and have agreed to a fine of \$1,000.

Mr. Choy expressed his concern that the fine was excessive as opposed to what the previous company was fined. He felt that the company should be fined \$500 instead of a \$1,000.

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Ms. Chock moved to accept the Conciliation Agreement with Hida Okamoto & Associates, Mr. Muraoka seconded. Motion carried.

(Aye: Black, Belatti, Muraoka and Chock No: Choy)

Conciliation Agreement 03-19 Alan Nishimoto

Investigation found that Mr. Nishimoto an insurance broker made an excess contribution of \$2,000 to Jeremy Harris. He has agreed to a fine of \$500.

Mr. Muraoka moved to accept Conciliation Agreement with Alan Nishimoto, Ms. Chock seconded. Motion carried.

Draft Advisory Opinion 03-02 Requirement of to File Electioneering Communication Reports

Draft advisory opinion clarifies that electioneering communication expenses as those over and above that of regular expenses and that if a committee is already registered and filing reports they are not required to file a separate report for electioneering communication expenses.

Ms. Belatti moved to adopt Draft Advisory Opinion 03-02, Mr. Muraoka seconded. Motion carried.

Communication to Commission:

Legislation

SB 459, did not pass. This was the bill that contained the campaign reform measures.

HB 401, passed. This bill administratively attaches our office to the Department of Accounting and General Services.

Next Meeting:

Scheduled for Thursday, June 12, 2003 at 3:00 p.m.

July Meeting - Changed from Thursday, July 10 to Thursday, July 17 at 3:00 p.m.

Chair Black moved to convene executive session to consult with counsel.

Public session reconvened and with no further business to discuss Chair Black adjourned meeting. Meeting adjourned at 4:05 p.m.

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State of Hawaii, Campaign Spending Commission

EXHIBIT F

26044134297

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

Use separate schedule(s)
or each category of the
Detailed Summary Page

FOR LINE NUMBER: **PAGE 35 / 88**

(check only one)

☒ 11a ☐ 11b ☐ 11c ☐ 11d
☐ 12 ☐ 13a ☐ 13b ☐ 14 ☐ 15

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NAME OF COMMITTEE (In Full)

Abercrombie for Congress

Full Name (Last, First, Middle Initial)

A. Maurice Kondo

Mailing Address 880 Kielei Rd #550

City Honolulu **State** HI **Zip Code** 96817-

FEC ID number of contributing federal political committee. C

Name of Employer
INK Architects, Inc.

Occupation
Principal

Receipt For: 2004
☒ Primary ☐ General
Other (specify) ▼

Election Cycle-to-Date ▼
500.00

Date of Receipt

08 / 16 / 2004

Transaction ID: 0830200459C1143

Amount of Each Receipt this Period

500.00

Receipt

Limit Increased Due to Opponent's
Spending (2 U.S.C. 441a(j)(4)(1)-(1))

Full Name (Last, First, Middle Initial)

B. Yue-Hong Yeh

Mailing Address 941 Prospect St #C

City Honolulu **State** HI **Zip Code** 96822-

FEC ID number of contributing federal political committee. C

Name of Employer
ControlPoint Surveying In-
c.

Occupation
Land Surveyor

Receipt For: 2004
☒ Primary ☐ General
Other (specify) ▼

Election Cycle-to-Date ▼
2000.00

Date of Receipt

07 / 14 / 2004

Transaction ID: 0830200459C1046

Amount of Each Receipt this Period

2000.00

Receipt

Limit Increased Due to Opponent's
Spending (2 U.S.C. 441a(j)(4)(1)-(1))

Full Name (Last, First, Middle Initial)

C. Lana Stoyan

Mailing Address 12152 Windsor Hall Way

City Herndon **State** VA **Zip Code** 20179-

FEC ID number of contributing federal political committee. C

Name of Employer
N/A

Occupation
Housewife

Receipt For: 2004
☒ Primary ☐ General
Other (specify) ▼

Election Cycle-to-Date ▼
2000.00

Date of Receipt

07 / 14 / 2004

Transaction ID: 0830200459C1047

Amount of Each Receipt this Period

2000.00

Receipt

Limit Increased Due to Opponent's
Spending (2 U.S.C. 441a(j)(4)(1)-(1))

SUBTOTAL of Receipts This Page (optional)

4500.00

TOTAL This Period (last page this line number only)

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EXHIBIT G

26044134299



**Campaign Spending Commission Meeting
Leiopapa A Kamehameha Building, Room 204
January 16, 2003
3:00 p.m.**

Members Present:

A. Duane Black, Della Au Belatti, Mona Chock

Staff Present:

Robert Watada, Tony Baldomero, Jon Itomura, Ellen Kojima

Call to Order:

Meeting convened at 3:05 p.m. with Chairman Black presiding.

Consideration of Minutes:

Minutes deferred until next meeting.

Old Business:

Docket 02-09 Thomas Berg vs. Certified Management

Complaint alleged that Certified Management failed to file the required organizational and disclosure reports for expenditures made in support of candidate Tesha Malama. Staff notified Certified of their failure to file the required reports. Subsequently, Certified submitted all required reports and paid the penalty for failing to submit two timely reports.

Ms. Belatti moved to summarily dismiss the complaint, Ms. Chock seconded. Motion carried.

Docket 02-12 Michael Golojuch vs. Friends of Mike Gabbard

Docket 02-13 Michael Golojuch vs. Friends of Tulsi Gabbard Tamayo

Complaints alleged possible violations related to failure to accurately report expenditures. At the November 15, and December 2, 2002 meetings, after hearing the responses made by Randal Yoshida, counsel for both respondents and Michael Golojuch the Commission directed the staff to further investigate the matter. Staff requested that respondents amend their disclosure reports to reflect all payees and expenditures in detail and respondents have complied.

Ms. Belatti moved to summarily dismiss both complaints, Ms. Chock seconded. Motion carried.

New Business:

Docket 02-14 Patrick Gallagher vs. H.E.R.E., Local 5

Complaint alleged that H.E.R.E. made various expenditures and coordinated campaign activities for candidate Mazie Hirono in excess of the contribution limit. Preliminary findings found that there was no coordination with the candidate and that funds were expended. Mr. Tony Gill, counsel for H.E.R.E., also represented that there was no campaign coordination, but that there were campaign related expenditures made. Staff recommended that the matter be further investigated and that the staff work with respondent on the reporting issues.

Ms. Belatti moved that the matter be further investigated, Ms. Chock seconded. Motion carried.

Conciliation Agreement 02-32 Fewell Geotechnical Engineering, Inc.

Investigation found that Fewell and Hawaii Test Borings are two companies that share office space and have the same officers. Excess and false name contributions were made to the Harris and Cayetano campaigns.

Ms. Belatti moved to approve Conciliation Agreement 02-32, Ms. Chock seconded. Motion carried.

Conciliation Agreement 02-33 ECM, Inc.

Investigation found that on the same day a \$2,000 contribution by Engineering Enterprises was made a \$4,000 contribution was made by ECM, which was not reported by the Harris campaign committee, for an excess of \$2,000.

Ms Belatti moved to approve Conciliation Agreement 02-33, Ms. Chock seconded. Motion carried.

Conciliation Agreement 02-34 Controlpoint Surveying, Inc.

Investigation found excess and false name contributions made to Harris, Cayetano, Hannemann, and Apana. A large part of the contributions were made in the name of family members and employees.

Ms Chock moved to approve Conciliation Agreement 02-34, Ms. Belatti seconded. Motion carried.

Conciliation Agreement 02-36 HUBS Hawaii, Inc.

Investigation found that the company made excess contributions of \$2,000 to the Hirono campaign.

Ms. Belatti moved to approve Conciliation Agreement 02-36, Ms. Chock seconded. Motion carried.

Conciliation Agreement 02-37 Imata & Associates, Inc.

Investigation found that Imata a Hilo company made excess contributions of \$2,700 to the Cayetano campaign.

Ms. Belatti moved to approve Conciliation Agreement 02-37, Ms. Chock seconded. Motion carried.

Conciliation Agreement 02-38 CDS International

Investigation found that CDS made excess contributions to the Cayetano,, Harris and Apana campaign committees.

Ms. Belatti moved to approve Conciliation Agreement 02-38, Ms Chock seconded. Motion carried.

Conciliation Agreement 02-39 T. Iida Contracting, Ltd.

Investigation found that for the 1996-2000 period T. Iida made an excess contribution of \$4,000 to the Harris campaign committee.

Ms. Belatti moved to approve Conciliation Agreement 02-39, Ms. Chock seconded. Motion carried.

Conciliation Agreement 02-40 Kamehameha Schools

Attorney General investigation uncovered a number of violations - polls over several elections for certain candidates, fundraising for candidates, through contractors paid campaign expenses of certain candidates. Kamehameha Schools has agreed to a \$10,000 fine to resolve the matter.

Ms. Belatti moved to approve Conciliation Agreement 02-40, Ms Chock seconded. Motion carried.

Communications to Commission:

Legislation this session will focus on corporate and contractor contributions.

Next Meeting:

EXHIBIT H

26044134302



Thursday, July 24, 2003

New charges filed in Harris campaign probe

The investigation targets the president of a surveying firm

By Rick Daysog
rdaysog@starbulletin.com

City Prosecutor Peter Carlisle has filed criminal charges against the head of a local land surveying company for making allegedly illegal campaign contributions to Honolulu Mayor Jeremy Harris' campaign.

In a complaint docketed in state District Court, prosecutors said Alden Kajioka, president of Controlpoint Surveying Inc., made excessive political contributions and made campaign donations under false names.

The charges are misdemeanors punishable by up to one year in jail and a fine of \$2,000.

Kajioka declined comment yesterday, saying he has not been served with the complaint. Prosecutors also had no response.

Kajioka becomes the second top executive of a local contracting firm to face criminal charges by the prosecutor's office in its 18-month investigation of the Harris campaign.

Last week, a state judge sentenced the head of one of the isles' largest engineering firms, Michael Matsumoto, of SSFM International Inc., to 300 hours of community service after he pleaded no contest to similar charges.

In January, Kajioka's firm agreed to pay a \$48,000 fine to the state Campaign Spending Commission for making more than \$60,000 in

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illegal campaign contributions to Harris and other prominent isle Democrats.

The fine is the fourth largest levied by the commission behind a \$64,000 penalty against the engineering firm of Geolabs Inc. in January 2002, a \$53,500 fine against Wesley Segawa & Associates Inc. this month and a \$53,000 fine against Edward K. Noda & Associates in March.

A commission investigation found that Controlpoint and its executives funneled more than \$27,000 to the Harris campaign through relatives and friends from 1996 to 2002.

During that same period, the firm gave \$20,000 to Gov. Ben Cayetano's campaign and more than \$12,000 to former Oahu mayoral candidate Mufi Hannemann.

Under state law an individual or business can give no more than \$4,000 to a mayoral candidate during a four-year election cycle. Donors also are barred from giving money under false names.

The criminal complaint against Kajioka comes as Honolulu police have arrested about a dozen engineering and architecture executives during the past several months on suspicion of similar charges as part of the Harris investigation.

The Campaign Spending Commission's two-year civil investigation into the Harris campaign and its donors has netted fines totaling more than \$400,000 from more than 60 city and state contractors.

Prosecuting Attorney Campaign Spending Commission

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26044134304

EXHIBIT I

26044134305

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

 Use separate schedule(s)
 or each category of the
 Detailed Summary Page

FOR LINE NUMBER: PAGE 26 / 116

(check only one)

<input checked="" type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 11d
<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14
<input type="checkbox"/> 15			

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NAME OF COMMITTEE (In Full)

Abercrombie for Congress

Full Name (Last, First, Middle Initial)
A. Donald Okahara
Mailing Address PO Box 4801

City	State	Zip Code
Hilo	HI	96720-

FEC ID number of contributing federal political committee.

C

Name of Employer
 Okahara & Associates

Occupation
 Engineer

Receipt For: 2004
☒ Primary ☐ General
 Other (specify) ▼

Election Cycle-to-Date ▼

500.00

Date of Receipt

 M M / D D / Y Y Y Y
 06 23 2004

Transaction ID: 0623200423C10550

Amount of Each Receipt this Period

500.00

Receipt

 Limit Increased Due to Opponent's
 Spending (2 U.S.C. 441a(f)(4)(1)-(1))

Full Name (Last, First, Middle Initial)
B. Gary Okamoto
Mailing Address 848 Uili St

City	State	Zip Code
Honolulu	HI	96816-

FEC ID number of contributing federal political committee.

C

Name of Employer
 Wilson, Okamoto & Asso.

Occupation
 CEO

Receipt For: 2004
☒ Primary ☐ General
 Other (specify) ▼

Election Cycle-to-Date ▼

200.00

Date of Receipt

 M M / D D / Y Y Y Y
 06 30 2004

Transaction ID: 0702200459C10591

Amount of Each Receipt this Period

200.00

Receipt

 Limit Increased Due to Opponent's
 Spending (2 U.S.C. 441a(f)(4)(1)-(1))

Full Name (Last, First, Middle Initial)
C. Iris Okawa
Mailing Address 1649 Waikalulu Ln #C-11

City	State	Zip Code
Honolulu	HI	96817-

FEC ID number of contributing federal political committee.

C

Name of Employer
 Matsumoto LaFountaine &
 Chow

Occupation
 Attorney

Receipt For: 2004
☒ Primary ☐ General
 Other (specify) ▼

Election Cycle-to-Date ▼

750.00

Date of Receipt

 M M / D D / Y Y Y Y
 06 30 2004

Transaction ID: 0702200459C10800

Amount of Each Receipt this Period

500.00

Receipt

 Limit Increased Due to Opponent's
 Spending (2 U.S.C. 441a(f)(4)(1)-(1))

SUBTOTAL of Receipts This Page (optional)

1200.00

TOTAL This Period (last page this line number only)

EXHIBIT J

26044134307



Campaign Spending Commission Meeting
Leiopapa A Kamehameha Building, Room 204
April 17, 2003
3:00 p.m.

Members Present:

A. Duane Black, Della Au Belatti, Richard Choy

Staff Present:

Robert Watada, Tony Baldomero, Ellen Kojima

Russell Suzuki, Deputy Attorney General

Call to Order:

Meeting convened at 3:00 p.m. with Chairman Black presiding.

Consideration of Minutes:

Mr. Choy moved to approve the minutes of February 13, 2003 as circulated, Ms. Belatti seconded. Motion carried.

Old Business:

Docket 03-02 George Peabody vs. KITV, KGMB, KHON, KHNL, FOX, Other TV Stations, Candidates Hirono and Lingle

Complainant George Peabody filed a complaint against several TV stations and candidates Hirono and Lingle alleging that they failed to report in-kind contributions to the candidates for television coverage provided. Mr. Peabody alleges that he as a candidate was not invited to participate in several publicly aired debates and further argued that the TV stations did not give equal time to the lesser known candidates.

Staff reviewed federal election opinions, case law and section 11-207.6, HRS, news coverage and opinions are not considered campaign contributions to a candidate. KHNL/KITV, Shelton Jim On, representing candidate Lingle (also present at the meeting) and Michael Tanoue, representing candidate Hirono responded that no law or regulation has been violated. Staff recommends that the matter be dismissed.

Mr. Choy moved that Docket 03-02 be dismissed, Ms. Belatti seconded. Motion carried.

New Business:

Docket 02-04 Thomas Russi and Christine Paul vs. Lingle Lingle and Francis Jung

Complainants Russi and Paul filed a complaint against Linda Lingle and Francis Jung alleging that Mr. Jung had coerced them into making a contribution to the Lingle campaign. On March 24, 2003, staff received a faxed letter requesting that the complaint be withdrawn. Staff recommends that the complaint be dismissed based upon complainants request.

Mr. Choy moved that Docket 02-04 be dismissed. Ms. Belatti seconded. Motion carried.

Docket 03-03 Joe Gomes vs. Democratic Party of Hawaii

Complainant Joe Gomes filed a complaint against the Democratic Party of Hawaii alleging failure to report electioneering communications, failure to report advertising expenditures as contributions to a candidate and failure to report coordinated activity.

Jane Sugimura, Treasurer for the Democratic Party responded that the flyer at issue was without the coordination or cooperation of the candidate, the expenditures related to the flyers were reported, that Statements of Information for the flyer was filed and that the in-kind contributions were for the cost of advertising templates for a different advertisement.

Staff found no evidence of cooperation with the candidate regarding the flyer in question, also reported that the Democratic Party amended their report to detail electioneering communications. Staff does not interpret the statute regarding electioneering communication to require registered candidates and committees to file separate Statements of Information. Staff recommends that based on the information available and the Democratic Party's filing of amended reports that the matter be dismissed.

Mr. Joe Gomes, the complainant disagreed with the staff's recommendation and voiced his concern over the under reporting of the Party's expenditures and that the matter should be further investigated. Further stated that the staff should further the statute regarding electioneering communications and their interpretation of the statute.

Mr. Choy moved that Docket 03-03 be dismissed, Ms. Belatti seconded. Motion carried.

Docket 03-04 Democratic Party of Hawaii vs. Jim Rath

The Democratic Party filed a complaint against candidate Jim Rath alleging that he used campaign funds to purchase an advertisement to campaign for Mark Jernigan and Paul Whalen and against Mari Herkes. Section 11-200, HRS provides that campaign funds be used for a candidate's own campaign and not to advocate or further the campaign of any other candidate. Candidate Rath responded that the advertisement was intended to counter a Party advertisement that would be targeting his candidacy.

Staff recommends that a preliminary determination of probable cause be made that section 11-200, HRS was violated and that a nominal fine of \$50 be assessed and that he reimburse his candidate committee the amount that was paid for the advertisement.

Mr. Choy moved that candidate Rath be assessed a fine of \$50 and that he reimburse his candidate committee the amount that was paid for the advertisement, Ms. Belatti seconded. Motion carried.

Docket 03-05 Clyde Morita vs. David Pendleton

Complainant Clyde Morita filed a complaint against David Pendleton alleging that he exceeded the expenditure limit for the 2002 election and failed to notify the required parties. On 3/11/03, Mr. Morita amended his complaint, alleging that candidate Pendleton also exceeded the limit for the 2000 election.

Staff review of Pendleton's reports found that he did not exceed the limit in 2000, but that for the 2002 election he exceeded the expenditure limit by \$6,681 and that he failed to notify the required parties. Candidate Pendleton met with staff and he represented that he did not intent to exceed the expenditure limit.

Staff recommends that a preliminary determination of probable cause be made that candidate Pendleton exceeded the expenditure limit and that he be assessed a fine of no less than \$100.

Mr. Morita, the complainant represented that he managed his campaign with the knowledge that Pendleton has agreed to the expenditure limit, and when Pendleton exceeded the limit he was not notified. Further stated that he received a notice well after the election and only after he had filed a complaint and that the notice did not state that he had exceeded the voluntary expenditure limit. Mr.

Morita, asked that in addition to the fine that Pendleton also be required to publish a public notice stating that he had exceeded the voluntary expenditure limit for the 2002 election.

Mr. Choy moved candidate Pendleton be assessed a fine of \$100 for his failure to notify all parties that he had exceeded the voluntary expenditure limit, Ms. Belatti seconded. Motion carried.

Docket 03-06 David Frankel vs. Bob Herkes and Cooper Center Council

Complainant David Frankel filed a complaint against Bob Herkes and the Cooper Center Council for failure to report an advertising expenditure.

Staff contracted the Cooper Center Council and was informed that Bob Herkes paid for the advertisement. Herkes provided staff with a copy of the campaign check for payment of the advertisement. Herkes also amended his Final Election report to reflect the payment of the ad.

Staff recommends that a preliminary determination of probable cause be made that candidate Herkes filed a defective report and be assessed a \$50 fine.

Mr. Choy moved that candidate Herkes be assessed a \$50 fine for filing a defective report, Ms. Belatti seconded. Motion carried.

Docket 03-07 In Re the Matter of Mike Gabbard and Friends of Mike Gabbard

The Mike Gabbard campaign committee signed the Affidavit of Compliance with the Voluntary Expenditure Limits and applied for and received \$7,491 in public funding. Staff was informed on 11/29/02 that the Gabbard campaign committee had exceeded the expenditure limit.

Staff recommends that candidate Gabbard return public funds received and be assessed a fine of \$100 for failure to notify his opponents.

Devin Bull, representing the Gabbard campaign committee stated that the committee did not realize until 11/29/02 that the expenditure limit had been exceeded. When realized notified the necessary parties and paid the balance of the candidate filing fee with the city clerk's office.

Mr. Choy moved that the Gabbard campaign be ordered to return public funding received and that no further fine be imposed, Ms. Belatti seconded. Motion carried.

Conciliation Agreement 03-02 Fukunaga & Associates, Inc. and Royce Fukunaga

Investigation found that during the period of 1996 through 2001 Fukunaga & Associates made over \$65,000 in contributions to various candidates, of which \$45,000 had been made to Harris. They have agreed to a fine of \$24,000 for excess and false name contributions.

Mr. Choy moved to approve Conciliation Agreement 03-02, Ms. Belatti seconded. Motion carried.

Conciliation Agreement 03-04 Mitchell A. Imanaka

Investigation found that the law firm of Dwyer, Imanaka, et al now known as Dwyer, Schraff, et al. made excess contributions to Harris. Mr. Imanaka asked to responsibility for the contributions made to Harris. He as agreed to a fine of \$500.

Mr. Choy moved to approve Conciliation Agreement 03-04, Ms. Belatti seconded. Motion carried.

Conciliation Agreement 03-05 Gerell Management, Inc. and Joe Leoni

Investigation found that excess and false name contributions were made to the Harris campaign. Joe Leoni a former partner in the firm has accepted responsibility for some of the contributions made and has agreed to pay a fine of \$750. Staff is continuing an investigation on Gerell Management.

Ms. Belatti moved to approve Conciliation Agreement 03-05, Mr. Choy seconded. Motion carried.

Conciliation Agreement 03-06 AM Partners, Inc. and Brian Takahashi

Investigation found that false name contributions were made to the Harris campaign and they have agreed to a fine of \$1,200.

Mr. Choy moved to approve Conciliation Agreement 03-06, Ms. Belatti seconded. Motion carried.

Conciliation Agreement 03-07 W.A. Hirai & Associates, Inc. and Sam K. Hyun

Investigation found that excess and false name contributions were made to Harris, Cayetano, Hirono and Apana, and they have agreed to a fine of \$19,000.

Ms. Belatti moved to approve Conciliation Agreement 03-07, Mr. Choy seconded. Motion carried.

Conciliation Agreement 03-10 Stanford Carr Development Corp. and Stanford Carr

Investigation found that excess contributions had been made to the Jerry Chang campaign, and they have agreed to a fine of \$600.

Ms. Belatti moved to approve Conciliation Agreement 03-10, Mr. Choy seconded. Motion carried.

Conciliation Agreement 03-11 Fujita & Associates, Akira Fujita and Edwin Maruyama

Investigation found that false name contributions were made to the Harris and Cayetano campaigns. Based upon the formula fine should be \$16,000, but because they are in process of filing bankruptcy, their fine has been reduced to \$11,000 to assure possible payment.

Ms. Belatti moved to approve Conciliation Agreement 03-11, Mr. Choy seconded. Motion carried.

Conciliation Agreement 03-17 WMO Corp., Inc. and Wilson M. Okamoto

Investigation found that false name contributions were made to candidates and they have agreed to a fine of \$5,000.

Ms. Belatti moved to approve Conciliation Agreement 03-17, Mr. Choy seconded. Motion carried.

Communications to Commission:Legislation

SB 459 is to be heard in conference committee today.

Public Funding

For the 2002 elections \$322,00 in public funds was distributed to 45 candidates.

Candidates Willie Espero and Shan Tsutsui exceeded their respective voluntary expenditure limit. But neither candidate applied for public funding and complied with notification requirements.

Next Meeting:

Scheduled for Thursday, May 8, 2003 at 3:00 p.m.

Ms. Belatti moved to convene executive session to consult with counsel, Mr. Choy seconded. Motion carried.

Public session reconvened and with no further business to discuss Chair Black adjourned meeting. Meeting adjourned at 4:50 p.m.

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State of Hawaii, Campaign Spending Commission

EXHIBIT K

26044134312



Saturday, May 1, 2004

Woman faces campaign charge

The suspect's husband was fined in October for illegal donations to Mayor Jeremy Harris

By Rick Daysog
rdaysog@starbulletin.com

City prosecutors have filed criminal charges against the wife of a local engineering executive for allegedly making illegal political donations to Honolulu Mayor Jeremy Harris' campaign.

In a complaint filed in state District Court on Wednesday, prosecutors alleged that Lori Okamoto exceeded the \$4,000 contribution limit and gave money under false names to the Harris campaign.

The charges are misdemeanors punishable by up to a year in jail.

Okamoto could not be reached for immediate comment. She is the wife of Gary Okamoto, who heads the local engineering firm Wilson Okamoto & Associates Inc.

Last October, the state Campaign Spending Commission fined Gary Okamoto \$44,500 for funneling illegal political donations to the Harris campaign.

The commission alleged that Gary and Lori Okamoto gave more than \$29,000 in illegal political donations to the Harris campaign through several friends. The commission also said that the couple made \$22,800 in false-name contributions to Gov. Ben Cayetano's campaign and \$14,000 to ex-Lt. Gov. Mazie Hirono's campaign.

The Okamotos also laundered \$10,000 in political donations to former Honolulu Councilman Arnold Morgado, the commission said.

The friends listed as Harris donors included First Hawaiian Bank executive Kent Iboshi, First Hawaiian bank teller Leona Nishimura and insurance executive Janice Fukuda. All three recently pleaded no contest to misdemeanor charges of making improper donations to the Harris campaign.

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Under state law, donors are prohibited from making political donations under false names. They also can give no more than \$4,000 to a mayoral candidate during a four-year election cycle.

City records show that Wilson Okamoto & Associates has received more than \$17 million in nonbid design and consulting work during the past decade.

During the past two years, city prosecutors have brought charges against more than a dozen city contractors in their wide-ranging investigation into the Harris campaign. Over the same period, the Campaign Spending Commission has issued more than \$1 million in civil fines against several dozen firms that made illegal donations to the Harris campaign.

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